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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,709	12/15/2005	Richard Chi-Te Shen	US030224US	8498

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EXAMINER	
DAZENSKI, MARC A	

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
07/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No.	Applicant(s)	
	10/560,709	SHEN ET AL.	
	Examiner	Art Unit	
	MARC DAZENSKI	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 May 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) *44-50* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 December 2005* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12-15-2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Claims 44-50 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 5-19-2009.

Applicant's election with traverse of Group I (corresponding to **claims 1-42**) in the reply filed on 5-19-2009 is acknowledged. The traversal is on the ground(s) that the Office Action fails to present a proper basis for restriction. The examiner acknowledges Applicant's position but respectfully disagrees. A rejection follows below.

Claim Objections

Claims 1, 5, 8, 10-12, 14, 17, 31, 39, 41-42 are objected to because of the following informalities: the claims use the words "substantially," "sufficiently," and "about" to refer to both playback speed and length of clips. However, as claimed it is unclear as to the exact range of speed or the length of the clips. Appropriate correction is required.

Claims 10-11 are objected to because of the following informalities: the claims refer to both "the video speed" and "the audio speed," but there is insufficient

antecedent basis for this in the claim. Further, it is unclear as to what speed Applicant is referring, e.g., the presentation speed, the playing speed, or the skimming speed.

Claim 43 is objected to because of the following informalities: the claim depends on "the signal of claim 41," however claim 41 does not disclose a signal. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

> Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, per se, and as such are nonstatutory natural phenomena. O'Reilly, 56 U.S. (15 How.) at 112-14. Moreover, it does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in Sec. 101.
>
> ... a signal does not fall within one of the four statutory classes of Sec. 101.
>
> ... signal claims are ineligible for patent protection because they do not fall within any of the four statutory classes of Sec. 101.

Claim 42 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 42 defines a signal with descriptive material. While "functional descriptive material" may be claimed as a statutory product (i.e., a "manufacture") when embodied on a tangible computer readable medium, a signal embodying that same functional descriptive material is

neither a process (i.e., a series of steps per se.) nor a product (i.e., a tangible "thing") and therefore does not fall within one of the four statutory classes of § 101. Rather, "signal" is a form of energy, in the absence of any physical structure or tangible material.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

> Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture or composition of matter and should be rejected under 35 U.S.C. Sec. 101. Certain types of descriptive material, such as music, literature, art, photographs and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture or composition of matter. USPTO personnel should be prudent in applying the foregoing guidance. Nonfunctional descriptive material may be claimed in combination with other functional descriptive multi-media material on a computer-readable medium to provide the necessary functional and structural interrelationship to satisfy the requirements of 35 U.S.C. Sec. 101. The presence of the claimed nonfunctional descriptive material is not necessarily determinative of nonstatutory subject matter. For example, a computer that recognizes a particular grouping of musical notes read from memory and upon recognizing that particular sequence, causes another defined series of notes to be played, defines a functional interrelationship among that data and the computing processes performed when utilizing that data, and as such is statutory because it implements a statutory process.

Claim 43 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 43 discloses a record carrier which does not impart functionality to a computer or computing device, and is thus considered nonfunctional descriptive material. Such nonfunctional descriptive material, in the absence of a functional interrelationship with a computer, does not constitute a statutory process, machine, manufacture or composition of matter and is thus non-statutory per se.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-7, 9-10, 14-16, 23-39, and 41-43 are rejected under 35 U.S.C. 102(e) as being anticipated by McLaren et al (US Patent 6,064,794), hereinafter referred to as McLaren.

Regarding **claim 1**, McLaren discloses a trick-play control for pre-encoded video. Further, McLaren discloses a method (see figure 5) comprising:

providing a performance for presentation during normal playing of the performance with a predetermined normal speed in a predetermined normal direction, the performance including a multitude of frames (see column 6, lines 60-62 and figure 4);

storing the performance on a storage medium (see column 6, lines 60-62 and figure 4);

reading portions of the performance from the storage medium (see column 7, lines 49-51);

selecting trick play clips of the stored performance for playing in a trick play mode, portions of the performance between the trick play clips being defined as fast skim clips for skimming in the trick play mode, multiple trick play clips and fast skim clips each containing multiple subsequent frames, the trick play clips alternating with the fast

skim clips in the normal direction of play (see column 6, line 61 through column 7, line 19 as well as figure 4); and

playing portions of the performance in the trick play mode, the trick play mode including playing the trick play clips and skimming the fast skim clips between the trick play clips, the skimming being either skipping of fast skim clips or playing fast skim clips at a substantially higher speed than the trick play clips in the trick play mode, the speed of the playing and skimming in the trick play mode being substantially different than the normal speed, the trick play clips being sufficiently long and being presented at a sufficiently low speed so that the content of the trick play clips can be understood by a human audience (see column 7, line 49 through column 8, line 23 as well as figures 4-5).

Regarding **claim 2**, McLaren discloses everything claimed as applied above (see claim 1). Further, McLaren discloses in the trick play mode, the trick play clips are played at the normal speed (see column 3, lines 13-15).

Regarding **claim 3**, McLaren discloses everything claimed as applied above (see claim 1). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 1 above.

Regarding **claim 5**, McLaren discloses everything claimed as applied above (see claim 1). Further, McLaren discloses in which: the performance includes video, the frames include video frames, and the trick play clips and fast skim clips include video clips; and in the trick play mode the trick play video clips are presented at less than

about 8 times the normal speed so the video clips can be understood by the audience (see column 2, lines 45-55).

Regarding **claim 6**, McLaren discloses everything claimed as applied above (see claim 5). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 1 above.

Regarding **claim 7**, McLaren discloses everything claimed as applied above (see claim 5). Further, McLaren discloses in which the trick play video clips are selected during an authoring process prior to storing the performance so that the trick play video clips contain logically related portions of video (see column 4, lines 19-30; column 6, lines 30-34; and figure 3).

Regarding **claim 9**, McLaren discloses everything claimed as applied above (see claim 7). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 7 above (wherein it is well known in the art that in MPEG streams audio is interleaved with video).

Regarding **claim 10**, McLaren discloses everything claimed as applied above (see claim 7). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 1 above.

Regarding **claim 14**, McLaren discloses everything claimed as applied above (see claim 1). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 1 above.

Regarding **claim 15**, McLaren discloses everything claimed as applied above (see claim 14). Further, McLaren discloses in which the trick play clips start at different

positions for the different media (see column 3, lines 36 through column 4, line 24 as well as table 2).

Regarding **claim 16**, McLaren discloses everything claimed as applied above (see claim 14). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 1 above.

Regarding **claim 23**, McLaren discloses everything claimed as applied above (see claim 1). Further, McLaren discloses in which there are trick mode entry points at intervals of multiple frames in the stored performance, and the trick play clips are selected to begin at respective trick mode entry points, but not at every trick mode entry point (see column 3, line 36 through column 4, line 24).

Regarding **claim 24**, McLaren discloses everything claimed as applied above (see claim 23). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 23 above.

Regarding **claim 25**, McLaren discloses everything claimed as applied above (see claim 23). Further, McLaren discloses in which the positions of trick play clips are determined prior to storing the performance and pointers to the trick play clips are stored an the same storage medium as the performance (see column 7, lines 30-37 as well as figure 4).

Regarding **claim 26,** McLaren discloses everything claimed as applied above (see claim 23). Further, McLaren discloses in which pointers to the trick play clips are stored in a table that is separate from the performance (see column 7, lines 16-19 as well as figure 4).

Regarding **claim 27**, McLaren discloses everything claimed as applied above (see claim 1). Further, McLaren discloses in which the length of the fast skim clips are more than 2 times the length of the trick play clips, the length being measured in numbers frames (see column 4, lines 26-47, table 2, as well as figure 2, wherein if the reproduction is at 10X then only one out of every ten frames will be decoded and therefore the number of frames in the fast skim clips, i.e. the length, will automatically be longer than the trick play clips).

Regarding **claim 28**, McLaren discloses everything claimed as applied above (see claim 1). Further, McLaren discloses in which the length of the trick play clips are user adjustable after storing the performance (see column 7, line 49 through column 8, line 23 as well as figures 4-5).

Regarding **claims 29-30**, McLaren discloses everything claimed as applied above (see claim 1). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 28 above.

Regarding **claim 31**, the examiner maintains the claim is merely the corresponding apparatus to the method of claim 1, and is therefore rejected in view of the explanation set forth in claim 1 above.

Regarding **claim 32**, McLaren discloses everything claimed as applied above (see claim 31). Further, McLaren discloses means (246) for selecting the trick play clips and fast skim clips during the playing in the trick play mode (see column 3, lines 24-26).

Regarding **claim 33**, McLaren discloses everything claimed as applied above (see claim 31). Further, McLaren discloses in which the stored performance is

compressed and the player further comprises means for decompressing the portions of the performance read from the storage medium (see column 2, lines 45-55; column 3, lines 21-22; and figure 4).

Regarding **claim 34**, McLaren discloses everything claimed as applied above (see claim 33). Further, McLaren discloses in which portions of the fast skim clips are not decompressed during the playing in the trick play mode (see column 3, line 60 through column 4, line 25; wherein by skipping to a new stream the fast skim clips are not read and are therefore not decompressed).

Regarding **claim 35**, McLaren discloses everything claimed as applied above (see claim 31). Further, McLaren discloses means (242, 244) for reading pointers to the trick play clips from the storage medium, the playing of the trick play clips during the trick play mode depending on the pointers (see column 5, line 45 through column 6 line 9).

Regarding **claim 36**, McLaren discloses everything claimed as applied above (see claim 35). Further, the limitations of the claim are rejected in view of the explanation set forth in claim 35 above.

Regarding **claim 37**, McLaren discloses everything claimed as applied above (see claim 35). Further, the limitations of the claim are rejected in view of the explanation set forth in claims 33 and 35 above.

Regarding **claim 38**, McLaren discloses everything claimed as applied above. Further, McLaren discloses a play unit for presenting the decompressed portions of the performance to an audience (see figure 4, item (1000) labeled ‘display’).

Regarding **claim 39**, McLaren discloses trick-play control for pre-encoded video. Further, McLaren discloses a recorder comprising:

an input (202) for receiving a performance, the performance including a multitude of sequential frames for presentation during normal playing of the performance in a predetermined normal direction at a predetermined normal speed (see column 6, lines 35-62 and figure 4);

means (206) for selecting trick play clips of the stored performance for playing in a trick play mode, portions of the performance between the trick play clips being defined as fast skim clips for skimming in the trick play mode, multiple trick play clips and fast skim clips each containing multiple sequential frames, the trick play clips alternating with the fast skim clips in the normal frame presentation order, the trick play mode including playing the trick play clips and skimming the fast skim clips between the trick play clips, the skimming being either skipping of fast skim clips or playing fast skim clips at a substantially higher speed than the trick play clips in the trick play mode, the average speed of the playing and skimming in the trick play mode being substantially different than the normal speed, the trick play clips being sufficiently long and being presented at a sufficiently low speed so that the content of the trick play clips can be understood by a human audience (see column 6 line 61 through column 7 line 19; column 7, line 49 through column 8, line 23; as well as figure 4);

means (210, 212) for storing the performance on a storage medium and storing indications of the positions of the trick play clips on the storage medium, the indications of the positions of the trick play clips defining which portions of the performance are trick

play clips and which portions of the performance are fast skip clips (see column 7, lines 31-37 as well as figure 4).

Regarding **claim 41**, the examiner maintains that the claim is merely the corresponding method to the apparatus of claim 39, and therefore is rejected in view of the explanation set forth in claim 39 above.

Regarding **claim 42**, the limitations of the claim are rejected in view of the explanation set forth in claim 41 above.

Regarding **claim 43**, the limitations of the claim are rejected in view of the explanation set forth in claim 41 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 11-12, 17-19, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaren et al (US Patent 6,064,794), hereinafter referred to as McLaren, in view of Gupta et al (US Patent 7,313,808), hereinafter referred to as Gupta.

Regarding **claim 4**, McLaren discloses everything claimed as applied above (see claim 1). However, McLaren fails to disclose in the trick play mode, the fast skim clips

are played at least twice as fast as the trick play clips. The examiner maintains it was well known in the art to include the missing limitations, as taught by Gupta.

In a similar field of endeavor, Gupta discloses browsing continuous multimedia content. Further, Gupta discloses in the trick play mode, the fast skim clips are played at least twice as fast as the trick play clips (see column 4, lines 40-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the trick-play control for pre-encoded video of McLaren to include in the trick play mode, the fast skim clips are played at least twice as fast as the trick play clips, as taught by Gupta, for the purpose of maintaining intelligibility of a video presentation during a fast-reproduction operation.

Regarding **claim 11**, McLaren discloses everything claimed as applied above (see claim 10). However, McLaren fails to in which the video speed is less than the normal video speed to provide slow motion trick play mode and the audio speed is substantially normal during the slow motion trick play mode. The examiner maintains it was well known in the art to include the missing limitations, as taught by Gupta.

In a similar field of endeavor, Gupta discloses browsing continuous multimedia content. Further, Gupta discloses in which the video speed is less than the normal video speed to provide slow motion trick play mode and the audio speed is substantially normal during the slow motion trick play mode (see column 4, lines 40-65; and column 8, lines 50-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the trick-play control for pre-encoded video of

McLaren to include in which the video speed is less than the normal video speed to provide slow motion trick play mode and the audio speed is substantially normal during the slow motion trick play mode, as taught by Gupta, for the purpose of maintaining intelligibility of a video presentation during a fast-reproduction operation.

Regarding **claim 12**, the limitations of the claim are rejected in view of the explanation set forth in claim 11 above.

Regarding **claim 17**, the limitations of the claim are rejected in view of the explanation set forth in claim 11 above.

Regarding **claim 18**, the limitations of the claim are rejected in view of the explanation set forth in claim 11 above.

Regarding **claim 19**, the limitations of the claim are rejected in view of the explanation set forth in claim 11 above.

Regarding **claim 21-22**, the limitations of the claims are rejected in view of the explanation set forth in claim 17 above.

Claims 8, 13, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaren et al (US Patent 6,064,794), hereinafter referred to as McLaren, in view of Birmingham et al (US Patent 6,868,224), hereinafter referred to as Birmingham.

Regarding **claim 8**, McLaren discloses everything claimed as applied above (see claim 1). Further, McLaren discloses in which: the performance includes audio, the frames include audio frames, and the trick play clips and fast skim clips each include audio clips; in the trick play mode the fast skim audio clips are skipped (see column 2, lines 45-55 as well as the rejection of claim 1 above). However, McLaren fails to

disclose for multiple trick play audio clips, none of the frames of the trick play audio clip are skipped in the trick play mode; in the trick play mode, the trick play audio clips are played less than about 3 times the normal speed so the audio clips can be understood by the audience. The examiner maintains that it was well known to include the missing limitations, as taught by Birmingham.

In a similar field of endeavor, Birmingham discloses a method and apparatus for providing multimedia playback. Further, Birmingham discloses for multiple trick play audio clips, none of the frames of the trick play audio clip are skipped in the trick play mode; in the trick play mode, the trick play audio clips are played less than about 3 times the normal speed so the audio clips can be understood by the audience (see column 2, line 66 through column 3, line 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the trick-play control for pre-encoded video of McLaren to include for multiple trick play audio clips, none of the frames of the trick play audio clip are skipped in the trick play mode; in the trick play mode, the trick play audio clips are played less than about 3 times the normal speed so the audio clips can be understood by the audience, as taught by Birmingham, for the purpose of maintaining intelligibility of a video presentation during a fast-reproduction operation.

Regarding **claim 13**, McLaren discloses everything claimed as applied above (see claim 10). However, McLaren fails to disclose in which the video direction is the reverse of the normal direction to provide a reverse motion trick play mode and the trick play audio clips are provided in reverse order but the contents of the audio clips are

played in the normal direction so the audio clips can be understood during the reverse motion trick play mode. The examiner maintains that it was well known in the art to include the missing limitations, as taught by Birmingham.

In a similar field of endeavor, Birmingham discloses a method and apparatus for providing multimedia playback. Further, Birmingham discloses in which the video direction is the reverse of the normal direction to provide a reverse motion trick play mode and the trick play audio clips are provided in reverse order but the contents of the audio clips are played in the normal direction so the audio clips can be understood during the reverse motion trick play mode (see column 4, lines 51-59 and column 5, lines 37-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the trick-play control for pre-encoded video of McLaren to include in which the video direction is the reverse of the normal direction to provide a reverse motion trick play mode and the trick play audio clips are provided in reverse order but the contents of the audio clips are played in the normal direction so the audio clips can be understood during the reverse motion trick play mode, as taught by Birmingham, for the purpose of maintaining intelligibility of a video presentation during a fast-reproduction operation.

Regarding **claim 20**, McLaren discloses everything claimed as applied above (see claim 16). However, McLaren fails to disclose in which the trick play audio clips are played at the normal audio speed and the trick play video clips are played at a faster

than normal video speed. The examiner maintains it was well known in the art to include the missing limitations, as taught by Birmingham.

In a similar field of endeavor, Birmingham discloses a method and apparatus for providing multimedia playback. Further, Birmingham discloses in which the trick play audio clips are played at the normal audio speed and the trick play video clips are played at a faster than normal video speed (see column 3, lines 38-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the trick-play control for pre-encoded video of McLaren to include in which the trick play audio clips are played at the normal audio speed and the trick play video clips are played at a faster than normal video speed, as taught by Birmingham, for the purpose of maintaining intelligibility of a video presentation during a fast-reproduction operation.

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over McLaren et al (US Patent 6,064,794), hereinafter referred to as McLaren, in view of Lane et al (US Patent 6,141,486), hereinafter referred to as Lane.

Regarding **claim 40**, McLaren discloses everything claimed as applied above (see claim 39). However, McLaren fails to disclose in which the storage medium is a tape and recorder is a tape recorder and the indications of the positions of the trick play clips are pointers that are stored on the tape at a position that is different than the position that the performance is stored on the tape. The examiner maintains that it was well known in the art to include the missing limitations, as taught by Lane.

In a similar field of endeavor, Lane discloses methods and apparatus for recording digital data including sync block and track number information for use during trick play operation. Further, Lane discloses in which the storage medium is a tape and recorder is a tape recorder and the indications of the positions of the trick play clips are pointers that are stored on the tape at a position that is different than the position that the performance is stored on the tape (see column 21, line 34 through column 22, line 32 as well as figure 8a-8b).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the trick-play control for pre-encoded video of McLaren to include in which the storage medium is a tape and recorder is a tape recorder and the indications of the positions of the trick play clips are pointers that are stored on the tape at a position that is different than the position that the performance is stored on the tape, as taught by Lane, for the purpose of reducing the decoding burden on a video tape recorder.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARC DAZENSKI whose telephone number is (571)270-5577. The examiner can normally be reached on M-F, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571)272-7905. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/MARC DAZENSKI/
Examiner, Art Unit 2621